

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WILLIAM HENDRIX,

Plaintiff,

v.

JAMES NEWSTEAD,

Defendant.

No. 3:25-cv-00020-YY

OPINION AND ORDER

BAGGIO, District Judge:

On March 4, 2025, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”, ECF 9), recommending that this Court dismiss Plaintiff William Hendrix’s First Amended Complaint (ECF 8) with prejudice. Neither party filed objections. This Court ADOPTS Judge You’s F&R.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. § 636(b)(1)(B), (C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” *Id.* § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v.*

Arn, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

CONCLUSION

Upon review, the Court agrees with Judge You's recommendation and adopts the F&R (ECF 9) in full. Plaintiff has failed to allege a claim for relief and Plaintiff's complaint is clearly frivolous and not amenable to amendment. Therefore, this case is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 2nd day of April 2025.



AMY M. BAGGIO
United States District Judge